



# Attorney General Jon Bruning

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# NEWS RELEASE

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## **Attorney General Bruning Releases Comment on NSC Decision in Herchel Huff Case**

LINCOLN -- Attorney General Jon Bruning today released a statement regarding the Nebraska Supreme Court's decision to affirm the 45-year sentence of Herchel Huff for the October 2007 motor vehicle homicide death of Kasey Jo Warner. A consecutive sentence of 20 to 60 months in prison for witness tampering was also held.

"Mr. Huff is a danger to society and unapologetically killed Kasey Jo Warner," said Bruning. "We are pleased the Court agreed Mr. Huff deserves to be locked away for a long time."

Due to prior statutory limitations, today's ruling partially vacated Huff's original sentence for the lesser charge of manslaughter. In today's ruling, the Court noted (pg. 104) the implementation of LB 667, introduced by Speaker for the Nebraska Legislature Mike Flood in the 2011 session, would remedy that limitation. The Attorney General's Office worked with Speaker Flood to draft LB 667 which allows for motor vehicle homicide to be independently prosecuted and sentenced.

As the 20-year sentence for the lesser charge of manslaughter was to be served concurrent to the 45-years in prison for motor vehicle homicide, today's decision does not result in a reduction of jail time for the greater conviction.

### *Case History*

Huff was convicted on March 12, 2010, of motor vehicle homicide while driving under the influence of alcohol. On October 3, 2007, Warner was jogging with her 3 year-old daughter on a county road south of Arapahoe when Huff struck her with his car.

At the time of Warner's death, Huff was out on bond while facing a third-offense DUI charge in Lincoln County. The conviction related to Warner's death is Huff's fourth DUI conviction in Nebraska and his 6<sup>th</sup> conviction overall.

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